

PATENT ATTORNEY DOCKET NO. 056297-5003-21-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Stephen P.A. FODOR et al.) Group Art Unit: 1634
Application No.: 10/694,541) Examiner: Unassigned
Filed: October 28, 2003)
For: Arrays for detecting nucleic acids)

Commissioner for Patents Washington, D.C. 20231

UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO-1449. This Supplemental Information Disclosure Statement is being filed, to the best of the undersigned's knowledge, before the mailing date of a first Office Action on the merits for the above-referenced application. Accordingly, Applicants do not believe a fee is due for filing this Supplemental Information Disclosure Statement.

The above-identified patent application is a continuation under 37 C.F.R. 1.53(b) of prior Application No. 09/056,927, filed July 28, 1999. The Examiner's attention is respectfully directed to the art of record in the parent case and, thus, no references are being submitted with the first PTO Form 1449 (twenty four-page document) and the second PTO form 1449 (three-page document). The third PTO form 1449 (four-page document) lists one hundred and thirty four (134) additional references. With the exception of U.S. Patents, copies of the listed documents are enclosed.

Applicants respectfully request that the Examiner initial and return the Form PTO-1449, indicating that the information has been considered and made of record herein.

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This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If it should be determined that any of the listed documents constitutes "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such document. Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR **EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Date: September 28, 2004 Morgan, Lewis & Bockius LLP Customer No. 000033522 1111 Pennsylvania Avenue, NW Washington, DC 20004

Tel: 202-739-3000

Respectfully submitted, Morgan, Lewis & Bockius LLP

Michael S. Tuscan, Ph.D.

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Registration No. 43,210

PEORMATION DISCLOSURE STATEMENT

Attorney Docket No. 56297-5003-21-US

Application No. 10/694,541

(Use several sheets if necessary)

Applicants: Stephen P.A. FODOR et al.

PTO Form 1449

FIRST

Filing Date: 10/28/03

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INFORMATION DISCLOSURE STATEMENT

Attorney Docket No. 56297-5003-21-US

Application No. 10/694,541

(Use several sheets if necessary)

Applicants: Stephen P.A. FODOR et al.

PTO Form 1449	FIRST	Filing Date: 10/28/03	Group
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39A	WO 89/08834	9/21/89	WII	20					
40	WO 89/10977	11/16/89	WIP	0					
41	WO 89/11548	11/30/89	WIP	0					
42	WO 89/12819	12/28/89	WII	90					
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45	WO 90/04652	5/3/90	WIP	0				•	
46	WO 90/15070	2/13/90	WIP	0					
47	WO 91/04266	4/4/91	WII	20					
48	WO 91/07087	5/30/91	WIP	0					
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55	WO 93/22456	11/11/93	WII	20					
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59	WO 96/23078	8/1/96	WII	20					
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67	GB 2156074	3/15/88	Grea	at Britian					
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70	DE 3505287	3/15/88	Ger	many					
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Application No. 10/694,541 INFORMATION DISCLOSURE STATEMENT Attorney Docket No. 56297-5003-21-US (Use several sheets if necessary) Applicants: Stephen P.A. FODOR et al. FIRST PTO Form 1449 Filing Date: 10/28/03 Group Art Unit: 1634 US PATENT DOCUMENTS Class Sub Filing Examiner's Document Date Name Date Class Initials* MM/YYYY (Family Name of First Inventor) Number (if appropria 10/1990 AR 4,965,188 Mullis BR 5,474,796 12/1995 Brennan CR DR ER FR GR HR IR JR KR LR MR NR English Translation Abstract Readily Document Date Country Inventor Name Available MM/YYYY Number Enclose 1 Enclosed No OR IGB 2233654 1/1991 U.K. WIPO PR WO 90/00626 1/1990 WIPO QR WO 93/17126 9/1993 RR EP 0 721 016 07/1996 EPO LOCKHART FODOR WO 95/00530 01/1995 WIPO SR TR UR VR WR XR OTHER (Including:in:this order Author, Title, Periodical Name: Date, Pertinent Pages :etc.) YR Perkin Elmer Cetus, Gene Amp DNA Amplification Reagent Kit, insert, Oct. 1988 ZR | Church et al, Proc. Natl. Acad. Sci., 81:1991-1995 (Apr., 1984) AAR Chetverin et al, Bio/Technology, 12:1093-1099 (Nov. 1994) BBR Coulson et al, Proc. Natl. Acad. Sci. USA, 83:7821-7825 (Oct. 1986) CCR Dower et al, Ann. Rep. Med. Chem., 26:271-280 (1991) DDR Dramanac et al, J. Biomol. Struct. Dyn., 8(5):1085-1102 (1991) Date Considered:

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Applicants: Stephen P.A. FODOR et al.

PTO Form 1449

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Attorney Docket No. **056297-5003-21-US**

Applicant: Stephen P. A. FODOR et al.

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Filing Date: October 28, 2003

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	3,730,844	05/01/73	Gilham et al.		1	
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